

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Edwin Andries Gerard Van Der Vossen et al.

Conf. No.: Not yet assigned

Application No.: 10/567,980

Group Art Unit: Not yet assigned

Filed: February 10, 2006

Examiner: Not Yet Assigned

For: FUNGUS RESISTANT PLANTS AND THEIR  
USES

**TRANSMITTAL FOR DECLARATION FOR PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants transmit herewith the executed Declaration for Patent Application and Power of Attorney in the above-captioned application. Applicants have not received a Notification Of Missing Requirements.

Please charge our Deposit Account No. 03-2775 in the amount of \$130.00 covering the required fees. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 13477-00002-US.

Respectfully submitted,

By   
Roberte M. D. Makowski, Ph.D.

Registration No.: 55,421  
CONNOLLY BOVE LODGE & HUTZ LLP  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, Delaware 19899  
(302) 658-9141  
(302) 658-5614 (Fax)  
Attorney for Applicants

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FUNGUS RESISTANT PLANTS AND THEIR USES

the specification of which was filed on August 3, 2004 as Application No.  
PCT/EP2004/008683.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

**FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☐ no such foreign applications have been filed

☒ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
03018266.1	EP	August 11, 2003	<u>X</u> Yes No

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 23416

all of **Connolly Bove Lodge & Hutz LLP**, 1007 North Orange Street, P.O. Box 2207, Wilmington, Delaware 19899, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

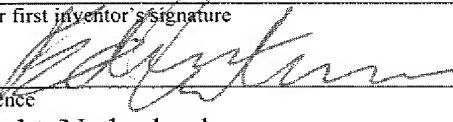
The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from KWEEK-EN RESEARCHBEDRIJF AGRICO B.V. as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

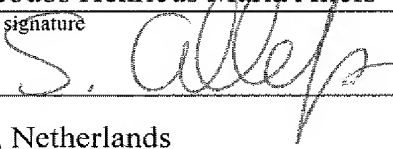
Please mail all correspondence to Roberte M. D. Makowski, Ph.D., whose address is:


**Connolly Bove Lodge & Hutz LLP**  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, Delaware 19899

Please direct telephone calls to: Roberte M. D. Makowski, Ph.D. at (302) 658-9141.

Please direct facsimiles to: (302) 658-5614

Full name of sole or first inventor <b>Edwin Andries Gerard Van Der Vossen</b>	
Sole or first inventor's signature 	Date 24/03/2006
Residence Utrecht, Netherlands	
Citizenship Netherlands	
Mailing Address Oortlaan 20 NL-3572 ZM Utrecht NETHERLANDS	

Full name of second inventor, if any <b>Josephus Jacoubs Henricus Maria Allefs</b>	
Second inventor's signature 	Date 29/03/2006
Residence Emmeloord, Netherlands	
Citizenship Netherlands	
Mailing Address Naardenstraat 8 8304 EJ Emmeloord NETHERLANDS	

Full name of third inventor, if any <b>Marina Woutera Maria Muskens</b>	
Third inventor's signature 	Date 29/03/2006
Residence Emmeloord, Netherlands	
Citizenship Netherlands	
Mailing Address Middelplaat 8 NL-8303 MK Emmeloord NETHERLANDS	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	